

REMARKS

Claims 1 and 8 are amended herein to further clarify the invention. Support is found, for example, on page 6, lines 4-10 and in the original claims. Hence no new matter is introduced.

Accordingly, upon entry of the Amendment, claims 1-5 and 8-12 will be all of the claims pending in the application for examination.

Claims 1-5 and 8-12 are rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Li et al. Referring to Figure 3 of the reference, the Examiner states that Li et al has the same reaction gas flowing from nozzles 34, 34a and 56 using different flow rates and allows the user to optimize different start times by using different controllers 37 and 60 for the reaction gases to obtain the desired results. It is the Examiner's position that it would have been obvious to one of ordinary skill in the art to modify Li et al to obtain an improved deposition chamber that incorporates an improved delivery system to ensure that the proper ratio of process gas is uniformly delivered across the wafer's surface. Further, the Examiner admits that Li et al does not disclose or teach the recited starting time (in claims 4 and 9) and the flow rate ranges (in claims 5 and 10).

Applicant respectfully traverses the rejection and submits that Li et al does not teach or suggest the presently claimed invention. Specifically, Li et al does not teach, suggest or mention that an initial film is formed in the center of the region of the wafer, *inter alia*, as recited in independent claims 1 and 8.

The Examiner states in the reason of the rejection of claims 1-5 and 8-12 that it is described in the Li reference that an initial film is formed in the center region of a wafer.

However, there is no such description or teaching of this feature in the summary or whole of the Li et al reference. As previously pointed out in the Response filed on June 18, 2004, at best, based upon the disclosure of Li et al, one of ordinary skill in the art may consider that the gas is supplied from the center nozzle 56 and the peripheral nozzles 34 and 34a at the same time, or that the gas is first supplied through the peripheral nozzles 34, second through peripheral nozzle 34a and third through center nozzle 56 above the substrate in view of Figure 3 and the disclosure in paragraphs [0012], [0013], [0025] and [0028].

Thus, it appears that the Examiner only assumes that the initial film is formed in the center region of the wafer, based on the position of the nozzle. However, Applicant submits that the Examiner could not consider or assume that an initial film is formed on the center region of the wafer, without the benefit of the teachings in Applicant's specification. Therefore, the Examiner's conclusion of obviousness is based upon improper hindsight reasoning.

Accordingly, Applicants respectfully request withdrawal of the rejections over Li et al.

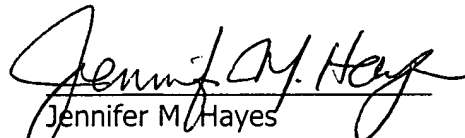
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. APPLN. NO. 09/832,093

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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